

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

**UNDER SEAL IN CAMERA**

Case No.	CR 24-00091-ODW	Date	February 22, 2024
----------	-----------------	------	-------------------

Present: The Honorable	OTIS D. WRIGHT II, UNITED STATES DISTRICT JUDGE
------------------------	---

Interpreter	
-------------	--

Sheila English	N/A	N/A
----------------	-----	-----

<i>Deputy Clerk</i>	<i>Court Reporter</i>	<i>Assistant U.S. Attorney</i>
---------------------	-----------------------	--------------------------------

<u>U.S.A. v. Defendant(s):</u>	<u>Present</u> <u>Cust.</u> <u>Bond</u>	<u>Attorneys for Defendants:</u> <u>Present</u> <u>App.</u> <u>Ret.</u>
--------------------------------	---	---

Alexander Smirnov	NOT	X	NOT
-------------------	-----	---	-----

**IN CAMERA PROCEEDINGS ON MOTION FOR RECONSIDERATION OF  
ORDER SETTING CONDITIONS OF PRETRIAL RELEASE**

**Proceedings:**

The June 2023 Grand Jury returned an Indictment in which Defendant Alexander Smirnov is solely named. Count 1 of the Indictment alleges Defendant provided false statements to a special agent of the federal Bureau of Investigation. It is further alleged Defendant knowingly and willfully made materially false representations in a matter within the jurisdiction of the executive branch of the government of the United States at Los Angeles, California within the Central District of California in violation of Title 18 United States Code section 1001.

Count Two alleges Defendant knowingly caused the making of a false entry in an FBI Form 1023, a record and document, with the intent to impede, obstruct and influence a matter that Defendant knew and contemplated was within the jurisdiction of the United States Department of Justice, a department and agency of the United States in violation of Title 18 United States Code section 1519 (2).

On Feb. 14, 2024, Defendant Smirnov was arrested in the District of Nevada as he returned to the United States on an international flight. It is important to note Smirnov was scheduled to leave the United States two days later, on February 16, 2024, for a months-long, multi-country trip that, by his own description, involved meetings with officials of foreign intelligence agencies and governments. During his custodial interview on the day of his arrest, Smirnov admitted that officials associated with Russian intelligence were

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

instrumental in passing to him a fabricated story about a public official of the United States and his son.

On February 15, 2024, Smirnov had his initial appearance in the District of Nevada. At that time the government moved for detention pursuant to 18 U.S.C. § 3142(f)(2)(a) and (b) on the basis that Smirnov posed a serious risk of flight and a serious risk of obstruction of justice. The Government requested a three (3) day continuance of the detention hearing, pursuant to 18 U.S.C. § 3142(f)(2). A detention hearing was held as scheduled in his matter on February 20, 2024, before United States Magistrate Judge Daniel J. Albregts of the United States District Court for the District of Nevada. At that hearing, Magistrate Judge Albregts found the government had proven that Smirnov posed a serious risk of flight by a preponderance of the evidence but the government had not proven by a preponderance of the evidence that no condition or combination of conditions could reasonably assure his appearance. Magistrate Judge Albregts ordered Smirnov released on a personal recognizance bond with conditions.

At the detention hearing the government requested a brief stay of the release order, which was denied. On February 21, 2024 the government made application for review or reconsideration of the release order and its conditions. [DE-11]. The present action by this court is in direct response to that request for reexamination /reconsideration of the order setting conditions of release.

Now having considered the history of Defendant's relationship with his FBI handler during which he has proven himself not to be trustworthy, his admitted extensive and recent contacts with agents of foreign intelligence agencies, including Russian intelligence, and his stated intention to once again leave the country, this court has conducting its own de novo review, and as a result this court reverses the release order and requests the issuance of an arrest warrant for Defendant.

Considering the fact Defendant has at his immediate disposal several million dollars, the ability to secure a passport at the Israeli embassy and foreign interests likely willing to assist Defendant in evading capture. An ankle bracelet is at best an irritant and insignificant impediment to his ability to leave the country. In this court's considered opinion, the only effective measure to assure Smirnov makes his court appearances is detention.

\_\_\_\_\_ : \_\_\_\_\_ 00  
Initials of Deputy Clerk    se \_\_\_\_\_